

**2005 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB129)**

Received: **05/11/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Ziegelbauer (608) 266-0315**

By/Representing: **Bill Ford**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Tax, Property - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ziegelbauer@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Late payment of property taxes

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**Instructions:**

Draft a substitute amendment consisting of AB 129 and AA 1 (LRB a0589) and AA2 (LRB -a0590). Call Bill Ford w/ questions

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 05/12/2005	kfollett 05/12/2005					
/1			rschluet 05/12/2005		lemery 05/12/2005	lemery 05/12/2005	

FE Sent For:

<END>

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/?	jkreye	11/12/05	5/12/05	5/12/05			
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FE Sent For:

<END>

ASA *tr*

## 2005 ASSEMBLY BILL 129

Today  
5-12

February 22, 2005 - Introduced by Representatives ZIEGELBAUER, KAUFERT, AINSWORTH, ALBERS, BLACK, BOYLE, GIELOW, KREIBICH, LEHMAN, LEMAHIEU, MUSSER, NASS, PETTIS, PRIDEMORE, TOWNS and ZEPNICK, cosponsored by Senators LEIBHAM and REYNOLDS. Referred to Committee on Ways and Means.

Regen

1 AN ACT *to repeal* 74.11 (10) (b) and 74.12 (9) (b); *to renumber* 74.12 (9) (a); *to*  
2 *renumber and amend* 74.11 (10) (a); and *to amend* 74.11 (7), 74.11 (11) (a),  
3 74.12 (7), 74.12 (8), 74.12 (10) and 74.12 (12) (a) of the statutes; **relating to:** late  
4 payments of property tax installments and providing penalties.

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### *Analysis by the Legislative Reference Bureau*

Under current law, if any installment payment of property taxes is paid after the date that the installment is due, the entire amount of unpaid property taxes becomes delinquent and is due, subject to interest and penalties. Under this bill, if any installment payment of property taxes is paid after the due date, the amount of the installment payment becomes delinquent and is due, subject to interest and penalties.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

5 SECTION 1. 74.11 (7) of the statutes is amended to read:  
6 74.11 (7) DELINQUENT FIRST INSTALLMENT. If the first installment of taxes on real  
7 property or improvements on leased land is not paid on or before January 31, the

## ASSEMBLY BILL 129

## SECTION 1

1 entire amount of the taxes remaining unpaid installment is delinquent as of and  
2 shall be paid, together with interest and penalties on the unpaid installment at the  
3 applicable rates under s. 74.47 (1) and (2) from February 1.

4 SECTION 2. 74.11 (10) (a) of the statutes is renumbered 74.11 (10) and amended  
5 to read:

6 74.11 (10) If all special assessments to which an installment option does not  
7 pertain, special charges, special taxes and personal property taxes due under sub.  
8 (3) or (4) are not paid in full on or before the due date, the amounts unpaid are  
9 delinquent as of the day after the due date ~~of the first installment or of the lump-sum~~  
10 payment.

11 SECTION 3. 74.11 (10) (b) of the statutes is repealed.

12 SECTION 4. 74.11 (11) (a) of the statutes is amended to read:

13 74.11 (11) (a) All real property taxes, special charges, and special taxes that  
14 become delinquent shall be paid, together with interest and penalties charged from  
15 the preceding February 1 day after the date that the real property taxes, special  
16 charges, and special taxes are due, to the county treasurer. All special assessments  
17 to which an installment option does not pertain that become delinquent shall be paid,  
18 together with interest and penalties charged from the day after the due date of the  
19 first installment ~~or of the lump-sum~~ payment.

20 SECTION 5. 74.12 (7) of the statutes is amended to read:

21 74.12 (7) DELINQUENT FIRST INSTALLMENT. If the first installment of real  
22 property taxes, personal property taxes on improvements on leased land or special  
23 assessments to which an installment option pertains is not paid on or before January  
24 31, the entire amount of the remaining unpaid taxes ~~or special assessments to which~~  
25 ~~an installment option pertains on that parcel~~ installment is delinquent as of and

*Insert 2-16*

1 shall be paid, together with interest and penalties on the unpaid installment at the  
2 applicable rates under s. 74.47 (1) and (2) from February 1.

3 **SECTION 6.** 74.12 (8) of the statutes is amended to read:

4 74.12 (8) DELINQUENT 2ND OR SUBSEQUENT INSTALLMENT. If the 2nd or any  
5 subsequent installment payment of real property taxes, personal property taxes on  
6 improvements on leased land or special assessments to which an installment option  
7 pertains is not paid by the due date specified in the ordinance, the ~~entire~~ amount of  
8 the remaining unpaid taxes or special assessments to which an installment option  
9 pertains on that parcel is delinquent as of the first day of the month after the  
10 payment is due and shall be paid, together with interest and penalties are due under  
11 sub. (10) on the unpaid installment at the applicable rate under s. 74.47 (1) and (2)  
12 from the day after the installment is due. INSERT 3-12

13 **SECTION 7.** 74.12 (9) (a) of the statutes is renumbered 74.12 (9).

14 **SECTION 8.** 74.12 (9) (b) of the statutes is repealed.

15 **SECTION 9.** 74.12 (10) of the statutes is amended to read:

16 74.12 (10) PAYMENT OF DELINQUENT PAYMENTS, INTEREST AND PENALTY. (a) All real  
17 property taxes, special assessments, special charges and special taxes that become  
18 delinquent and are paid on or before July 31, and all delinquent personal property  
19 taxes, whenever paid, shall be paid, together with interest and penalties charged  
20 from the ~~preceding February 1~~ day after real property taxes, special assessments,  
21 special charges, and special taxes are due, to the taxation district treasurer.

22 (b) All real property taxes, special assessments, special charges and special  
23 taxes that become delinquent and are not paid under par. (a) shall be paid, together  
24 with interest and penalties charged from the ~~preceding February 1~~ day after real

## ASSEMBLY BILL 129

## SECTION 9

1 property taxes, special assessments, special charges, and special taxes are due, to the  
2 county treasurer. INSERT 4-2

3 **SECTION 10.** 74.12 (12) (a) of the statutes is amended to read:

4 74.12 (12) (a) The taxation district treasurer shall retain the tax roll and make  
5 collections through July 31. On or before August 15, the taxation district treasurer  
6 shall return the tax roll to the county treasurer. The county treasurer shall collect  
7 all returned delinquent real property taxes, special assessments, special charges,  
8 and special taxes, together with interest and penalty penalties assessed from the  
9 previous ~~February 1~~ day after real property taxes, special assessments, special  
10 charges, and special taxes are due, as provided under s. 74.47.

11 **SECTION 11. Initial applicability.**

12 (1) This act first applies to taxes based on the assessment as of the January 1  
13 after publication.

14 (END)

Insert 4-10

**ASSEMBLY AMENDMENT 2,  
TO 2005 ASSEMBLY BILL 129**

May 10, 2005 - Offered by Representative ZIEGELBAUER.

Insert 2-16

At the locations indicated, amend the bill as follows:

**1.** Page 2, line 16: before the period insert "except that if any amount of the first installment remains delinquent on August 1 the entire amount of remaining unpaid taxes is delinquent and shall be paid together with interest and penalties charged from the proceeding February 1<sup>st</sup>" *Insert A*

**2.** Page 3, line 12: before the period insert "except that if any amount of a prior installment remains delinquent at the time that a subsequent installment becomes delinquent the entire amount of remaining unpaid taxes is delinquent and shall be paid together with interest and penalties charged from the day after the due date of the first installment at the applicable rate under s. 74.47 (1)" *Insert A*

**3.** Page 4, line 2: before the period insert "except that if any amount of a prior installment remains delinquent at the time that a subsequent installment becomes delinquent the entire amount of remaining unpaid taxes is delinquent and shall be"

Insert 3-12

Insert 4-2

*Insert 4-2*

1 paid together with interest and penalties charged from the day after the due date of  
2 the first installment at the applicable rate under s. 74.47 (1) *INSERT A*

3 ~~4.~~ Page 4, line 10: after "s. 74.47" insert "except that if any amount of a prior  
4 installment remains delinquent at the time that a subsequent installment becomes  
5 delinquent the entire amount of remaining unpaid taxes is delinquent and shall be  
6 paid together with interest and penalties charged from the day after the due date of  
7 the first installment at the applicable rate under s. 74.47 (1)

8 (END) *Insert A*

*Insert 4-10*



**ASSEMBLY AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 129**

May 10, 2005 - Offered by Representative ZIEGELBAUER.

- Insert A*
- 1 At the locations indicated, amend the bill as follows: *and other*
- 2 **1.** Page 2, line 16: before the period insert "except that amounts that remain
- 3 delinquent on September 1 shall be paid with interest and penalties charged from
- 4 the preceding February 1"
- 5 **2.** Page 3, line 12: before the period insert "except that amounts that remain
- 6 delinquent on September 1 shall be paid with interest and penalties charged from
- 7 the preceding February 1".
- 8 **3.** Page 4, line 2: before the period insert "except that amounts that remain
- 9 delinquent on September 1 shall be paid with interest and penalties charged from
- 10 the preceding February 1".

4. Page 4, line 10: after “s. 74.47” insert “except that amounts that remain delinquent on September 1 shall be paid with interest and penalties charged from the preceding February 1”.

**(END)**

LRB 50114/1

JK:

CCC to  
ASA 1 to AB 129

⑨ #. Page 2, line 14: delete "proceeding"  
and substitute "preceding".

&lt;end&gt;

sjs



State of Wisconsin  
2005-2006 LEGISLATURE

**CORRECTIONS IN:**

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 129**

Prepared by the Legislative Reference Bureau  
(October 19, 2005)

1. Page 2, line 14: delete "proceeding" and substitute "preceding".

(END)